

**SUPREME COURT MINUTES
THURSDAY, SEPTEMBER 22, 2005
SAN FRANCISCO, CALIFORNIA**

S069959

PEOPLE v. LEWIS (MICHAEL B.)
Extension of time granted

to October 31, 2005 to file respondent's brief. Extension is granted based upon Supervising Deputy Attorney General Peter Quon, Jr.'s representation that he anticipates filing that brief by 10/31/2005. After that date, no further extension will be granted.

S126085

DYKES (ERNEST) ON H.C
Extension of time granted

to October 11, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Steven S. Lubliner's representation that he anticipates filing that document by 12/12/2005.

S128008

WILLIAMS (DEXTER W.) ON H.C.
Extension of time granted

to October 13, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Chuck Nacsin's representation that he anticipates filing that brief by 11/13/2005.

S128550

TAYLOR (RONALD) ON H.C.
Extension of time granted

Respondent's time to serve and file the informal response is extended to and including October 16, 2005.

S133439**BURNEY (SHAUN) ON H.C.**
Extension of time granted

to October 31, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. The court anticipates that after that date, only eight further extensions totaling about 240 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S131554B176439 Second Appellate District,
Division Five**HARTFORD CASUALTY INSURANCE v. S.C. (C3)**
Applications to appear as counsel pro hac vice granted

- (1) Louis K. Fisher of the District of Columbia, on behalf of Amicus Curiae California Judges Association.
- (2) Victoria Dorfman of the District of Columbia, on behalf of Amicus Curiae California Judges Association.

S117590E032578 Fourth Appellate District,
Division Two**BARRATT AMERICAN v. CITY OF RANCHO CUCAMONGA**
Request for judicial notice granted

The requests for judicial notice filed on February 27, 2004, and March 1, 2004 are hereby granted.

S135160

C044400 Third Appellate District

O'CONNELL v. CITY OF STOCKTON
Order filed

In this matter in which this court granted review on September 6, 2005, the parties are directed to brief the following three issues:

- (1) Does California state law preempt provisions of the City of Stockton Municipal Code pertaining to "Seizure and Forfeiture of Nuisance Vehicles"?
- (2) Do the Stockton municipal code

provisions allowing the commencement of vehicle forfeiture proceedings “as soon as practicable but in any case within one year” satisfy the state and federal constitutional requirements of procedural due process?

(3) Do the municipal code provisions allocating proceeds of vehicle forfeitures to the offices of the San Joaquin County District Attorney and the Stockton City Attorney violate state or federal constitutional guarantees of substantive or procedural due process?

S135538

HULTMAN ON DISCIPLINE

Recommended discipline imposed

It is ordered that **JON BRADY HULTMAN, State Bar No. 218458**, be suspended from the practice of law for six months, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 27, 2005. The period of probation herein is to commence upon the termination of the monitoring period ordered in case number 04-O-11308. Costs are awarded to the State Bar and one-third of said costs are to be added to and become part of the membership fees for years 2006, 2007 and 2008. (Business & Professions Code section 6086.10.)

S135539

CARDENAS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **RAFAEL ARTURO CARDENAS, State Bar No. 59210**, be suspended from the practice of law for 18 months, that execution of suspension be stayed, and that he be placed on probation for 18 months on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation, as modified, filed

May 19, 2005. It is further ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension or within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said costs are to be added to and become part of the membership fees for years 2006, 2007 and 2008. (Business & Professions Code section 6086.10.)

S135541**GALLEGOS ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **ALFRED A. GALLEGOS, State Bar No. 160971**, be suspended from the practice of law for two years, and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 26, 2005. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension or within one year after the effective date of this order, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-half of said costs are to be added to and become part of the membership fees for years 2006 and 2007. (Business & Professions Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S135543

STRAUSS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **STEVEN D. STRAUSS, State Bar No. 161371**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 18, 2005. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-half of said costs are to be added to and become part of the membership fees for years 2006 and 2007. (Business & Professions Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S137447

VITALE ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **ANGELO M. VITALE, State Bar No. 117638**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)